

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA

VS.

FERNANDO GARCIA-CRUZ

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CRIMINAL ACTION NO. B-09-1296

ORDER

BE IT REMEMBERED on this 8th day of February, 2010, the Court reviewed the file in the above-captioned matter and specifically the Report and Recommendation of the United States Magistrate Judge filed November 2, 2009, wherein the defendant Fernando Garcia-Cruz waived appearance before this Court and appeared before the United States Magistrate Judge Ronald G. Morgan for the taking of a felony guilty plea and Federal Rule of Criminal Procedure Rule 11 Allocution. The Magistrate Judge recommends that the plea of guilty be accepted by the undersigned, and noting no opposition by defendant Fernando Garcia-Cruz to the Report and Recommendation, the Court enters the following order:

IT IS ORDERED that the Report and Recommendation of the United States Magistrate Judge is hereby adopted. The Court finds the defendant Fernando Garcia-Cruz guilty of the offense of alien unlawfully being present in the United States after having been deported, in violation of 8 U.S.C. 1326(a).

Signed this 8th day of February, 2010.

A handwritten signature in black ink, appearing to read 'Andrew S. Hanen', is written over a horizontal line.

Andrew S. Hanen
United States District Judge